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6 Attorneys for Defendants

7 **UNITED STATES DISTRICT COURT**
8 **FOR THE DISTRICT OF NEVADA**

9 ARLENE KALODNER, an individual and
NEIL KALODNER, an individual

10 Plaintiffs,
11 vs.

12 AMERICAN MEDICAL SYSTEMS, INC., a
Delaware corporation; AMERICAN
13 MEDICAL SYSTEMS HOLDINGS, INC., a
Delaware corporation; ENDO
14 PHARMACEUTICALS, INC., a Pennsylvania
corporation; ENDO PHARMACEUTICALS
15 HOLDINGS, INC. a Delaware corporation;
and ENDO HEALTH SOLUTIONS INC., a
Delaware corporation; and DOES 1-10 and
16 ROE ENTITIES 11-20, inclusive

17 Defendants.

Court Case No.: 2:13-cv-01717-JAD-PAL

District Court Case No. A-13-685021-C
District Court Dept. No. XXII

**STIPULATION AND ORDER TO STAY
PROCEEDINGS PENDING DECISION
REGARDING TRANSFER TO MDL**

19
20 The undersigned counsel of record for Defendants American Medical Systems, Inc.,
21 American Medical Systems Holdings, Inc., Endo Pharmaceuticals, Inc., and Endo Health Solutions
22 Inc. (formerly known as Endo Pharmaceuticals Holdings, Inc.) (collectively “Defendants”) and
23 Arlene Kalodner and Neil Kalodner (“Plaintiffs”) hereby stipulate and agree to stay these
24 proceedings pending a decision from the Judicial Panel on Multidistrict Litigation (“JPML”) based
25 on the foregoing:

26 1. The above-entitled action was commenced in the Eighth Judicial District Court, in
27 and for Clark County, Nevada, Case No. A-13-685021-C (“State Court Action”).

1 2. Plaintiffs Arlene Kalodner and Neil Kalodner commenced the State Court Action by
 2 filing a complaint (“Complaint”) on July 11, 2013. Plaintiffs filed an Amended Complaint
 3 (“Amended Complaint”) on September 3, 2013.

4 3. Counsel for Defendants accepted service of the Amended Complaint as to all
 5 Defendants on September 6, 2013.

6 4. Notice of Removal to the United States District Court for the District of Nevada was
 7 filed by Defendants on September 19, 2013.

8 5. The Judicial Panel on Multidistrict Litigation (“JPML”) has established four separate
 9 Multi-District Litigation proceedings (“MDL”) for claims related to pelvic mesh products, including
 10 the devices at issue here. There are more than 17,000 cases like this one in *In re: American Medical
 11 Systems, Inc., Pelvic Repair System Products Liability*, MDL 2325 (the “AMS MDL”) pending in
 12 the United States District Court for the Southern District of West Virginia for coordinated pretrial
 13 proceedings under 28 U.S.C. § 1407.

14 6. Defendants are seeking the transfer of this action to the AMS MDL and have
 15 provided the JPML notice of this action pursuant to the “tag-along” procedure contained in the
 16 MDL Rules.

17 7. Defendants and Plaintiff hereby agree to a stay of the instant proceedings pending a
 18 decision regarding transfer by the JPML.

19 Dated this 25th day of September, 2013

20 GREENBERG TRAURIG, LLP

21 _____
 22 /s/ Kara B. Hendricks
 23 KARA B. HENDRICKS (NV BAR NO. 7743)
 24 3773 Howard Hughes Parkway
 25 Suite 400 North
 26 Las Vegas, Nevada 89169
 27 Attorneys for Defendant

19 Dated this 25th day of September, 2013

20 EGLET WALL CHRISTIANSEN

21 _____
 22 /s/ Erica D. Entsminger
 23 Artemus W. Ham, Esq. (NV Bar No. 7001)
 24 Erica D. Entsminger, Esq (NV Bar No. 7432)
 25 400 S. Fourth St., 6th Fl.
 26 Las Vegas, NV 89101
 27 Attorneys for Plaintiff

28 IT IS SO ORDERED this 25th day of September, 2013.

28 _____
 29 UNITED STATES DISTRICT JUDGE